PTO/SB/21 (08-03) Approved for use through 08/30/2003 OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond information unless it displays a valid OMB control number Application Number PADET AT 09/674.714 TRANSMITTAL Filing Date December 19, 2000 **FORM** First Named Inventor Bjarke de Jager Gotfredsen Art Unit (to be used for all correspondence after initial filing) 2876 Examiner Name Jamara Franklin Attorney Docket Number 12 105.01 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC 1 Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Extension of Time Request Identify below): Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Daniel P. Maguire Individual name Signature Date December 16, 2003 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. Typed or printed name Daniel P. Maguire

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office. U.S. Department of Commerce. P.O. Box 1450, Alexandria, VA. 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450.

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December 18, 2003

Date

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, INITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Bjarke de Jager Gotfredsen)

Date: December 16, 2003

Application No.: 09/674,714

Group Art Unit: 2876

Filed: December 19, 2000

Examiner: Jamara Franklin

For: Mouse Pad Comprising a Card

Attorney Ref. No.: 105.01

Read/Write Device

Response to Office Action with Conditional Amendments

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir or Madam:

In response to the office action mailed November 5, 2003, the applicant respectfully submits this response with conditional amendments, as explained below.

As required by the newly-amended Rule 1.121, the amendments are submitted on their own pages.

Remarks

Special Status of the Present Application

The applicant respectfully reminds the examiner that the present application has been accorded special status due to actual infringement. Notwithstanding the special status of the present application, this application has been subject to piecemeal examination, in violation of MPEP 707.07(g). Three office actions have now been issued in this case, and each office action has relied on different primary references. Thus, the first office action relied primarily on the Lester (6,061,446) and Braun (6,300,936) references. When the applicant overcame these references, the examiner cited a new reference in the second office action, namely the Wilson design patent (D 380, 462). The applicant then distinguished that reference, but the examiner now cites a new reference, namely the Patret publication (PCT WO 95/24008). The applicant was surprised by this citation of